

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ELIZABETH HUXTABLE,

Plaintiff,

V.

MOUNT OLIVE TOWNSHIP, et al.,

Defendant.

.....

Civ. Action No. 04-3445 (JAG)

ORDER

CLOSED

GREENAWAY, JR., U.S.D.J.

On October 31, 2005, Magistrate Judge Madeline Cox Arleo filed a Report and Recommendation (“R&R”), pursuant to Fed. R. Civ. P. 72(b) and L. Civ. R. 72.1(a)(2), wherein she recommended “that the plaintiff’s Complaint be dismissed without prejudice thirty (30) days from the date [the R&R] is filed or by November 28, 2005, unless plaintiff is fully responsive and compliant with all outstanding discovery obligations and with Orders of this Court.” (Report and Recommendation at 5.) The time for filing objections to the R&R has expired, and no objections were submitted.

A magistrate judge's recommended disposition of a dispositive matter is subject to de novo review. In re U.S. Healthcare, 159 F.3d 142, 145-46 (3d Cir. 1998); Temptations, Inc. v. Wager, 26 F. Supp. 2d 740, 743 (D.N.J. 1998); see also Fed. R. Civ. P. 72(b). This Court has reviewed the parties' submissions and the R&R under the appropriate de novo standard, and agrees with Magistrate Judge Arleo's analysis and conclusion.

Further, it appears that, as of December 14, 2005, plaintiff, Elizabeth Huxtable, has not complied with her outstanding discovery obligations. (Letter from Deborah B. Rosenthal, Esq. to Magistrate Judge Madeline Cox Arleo (Dec. 14, 2005).) Therefore,

IT IS on this 22nd day of December, 2005,

ORDERED that Magistrate Judge Arleo's R&R is adopted as the opinion of the Court; and

IT IS FURTHER ORDERED that the case is dismissed without prejudice; and

IT IS FURTHER ORDERED that a copy of this Order be served on all parties within seven (7) days of the date of this Order.

S/Joseph A. Greenaway, Jr.
JOSEPH A. GREENAWAY, JR., U.S.D.J.